

LIBERAL SUNDAY AS AN ISSUE

DEMOCRATIC LEADER OF HUDSON COUNTY (N. J.) STARTS IT.

Robert Davis Has Put Up an ex-Brewery Collector for Sheriff—Platform May Denounce Sunday Drought—Bishops' Law to Be Attacked as Unconstitutional.

The Bishops' law, which has made New Jersey arid in some sections on Sundays and which has caused all sorts of trouble for the saloon keepers in the large cities of the State, is to be attacked in the courts in an effort to have it declared unconstitutional. This was announced in Jersey City yesterday by Robert Davis, Democratic leader of Hudson county, who came out openly a few days ago in favor of a liberal Sunday.

The announcement is looked upon by politicians as being significant, for it virtually means that the Democrats in the forthcoming campaign will run their candidates on a platform declaring for a liberal Sunday. This is further indicated by the selection of James Kelly, formerly employed as a collector for a local brewery, for the Democratic nomination for Sheriff. When Kelly received the tip that he could have the nomination he resigned his post with the brewery, but it is not expected that any of the saloon keepers will scratch him at the polls at that account.

The fight will be watched with interest, for the Republicans will naturally take the stand that the Bishops' law should be upheld. Gov. Fort took this stand when a candidate and it was predicted at the time that he would be snowed under by the saloon vote in Hudson county. On the contrary, Fort raised ructions with the Democratic majority in Hudson, even Hoboken assisting him. In fact it was the small Democratic vote for Governor in Hudson that defeated Frank S. Katzenbach for the gubernatorial chair.

Leader Davis's attitude in view of the vote given to Fort in Hudson is not altogether pleasing to some Democrats, who say they will have enough to contend with in offsetting the increased Republican vote in a Presidential year, but there are others who maintain that an open declaration in favor of a liberal Sunday will help the Democratic candidates. With the Bishops' law out of the way there would be a return to the old conditions of the side door and less trouble for the authorities, as they would not have to face so often the charge of "sinking at violations of the law." Furthermore, with the Bishops' law knocked out before election it would be easier sailing for the Democrats. Leader Davis's statement is as follows:

"The Bishops' law will be attacked in the courts and a determined effort will be made to knock it out on two points. It is an unjust law and is not in accord with public sentiment. The act does not inconvenience me, because I am not a drinking man, but it has aroused the liberal element all over the State, and the latest effort to enforce the law rigidly here has brought matters to a climax. A number of gentlemen who are convinced of the injustice of the law have decided to furnish a bill with the idea of having the law set aside as unconstitutional. I am not one of those who will attack the law, but I have friends who will. The two strong points to be made against this law will constitute an entirely new case."

"It's pretty hard to enforce a law that is unpopular as the Bishops' act. It's pretty hard too to enforce it here in Jersey City, where, everywhere else, it is enforced. It is enforced in other places like Atlantic City. Why should a State law be enforced in one place and not in another? If I were Mayor of this town the law would be enforced literally, that is, in accordance with common sense and fairness. There would be no flagrant violations of the law, but a thirsty man would be able to get a drink quietly on Sunday. The doors of the saloons would be closed, but there would be a way of getting in at the side doors."

Chief of Police Monahan, having been ordered by President Gleason of the Police Board to put the lid down tighter than ever to-day, issued special orders to the precinct captains yesterday that he will hold them personally responsible for every saloon found doing business in their respective precincts. For the first time since the searchlight on Jersey City excites conditions on Sunday President Gleason took special charge of the department, but he has tired of the job and he has now put the responsibility up to Monahan.

Monahan is a Republican, and with the Democratic leader coming out for a liberal Sunday and the head of the Democratic Police Board ordering the lid the chief of police is between the devil and the deep sea. He has decided, however, to make an effort to enforce the law rigidly to-day.

GRAFT IN CONVICT LABOR.

Georgia State Officials Charged With Making Money Out of the Lease System.

ATLANTA, Ga., July 25.—Mixed with the stories of convicts being whipped to death, were to-day told the Georgia lease system, were stories of State officials using their connection with the lease system to get money.

First, it was learned from the testimony of Louis D. Yancey, a son of Secretary Goodloe Yancey of the prison commission, that Chief Wardman Jake Moore and Chief Lessee W. B. Hamby had gone into a business partnership shortly after Hamby had secured 500 convicts by sending his bid into the prison commission's office, where Jake Moore was a high authority. Moore has been receiving only \$1,600 a year from the State, but he has managed to become wealthy in a few years.

There was also evidence implicating Chairman Turner of the prison commission and W. S. West, former President of the Senate, in a deal in convicts by which they made big money. The grafting even extended to the negro porter of the prison commission. A witness swore that the porter had made \$100,000 by selling tips regarding bids for convicts to a Georgia English, Jr., of Atlanta, who is a banker and a large lessee of convicts.

There was also evidence implicating a sub-committee, exposing horrible conditions in one of English's camps near Atlanta.

ARRESTED AT THE WALDORF.

E. G. Mealy Accused of Giving Rogers, Peet & Co. a Bad Check.

Earl G. Mealy, who is also booked at Police Headquarters as George Carlisle of Cleveland, was arrested at the Waldorf-Astoria yesterday charged with passing a bad check for \$50 on Rogers, Peet & Co., clothiers.

The complainant is Manager Carpenter of Rogers, Peet & Co.'s Thirty-fourth street store. According to Mr. Carpenter Mealy bought clothes and in payment gave a check on the First National Bank of Trenton, N. J., payable to the order of George Carlisle and signed Charles Bookings. The check was returned from the bank as worthless. When Mealy was searched at Headquarters he had eighteen blank checks and a printing outfit.

PASSENGER TRAIN'S CLOSE CALL.

Hits Open Switch at Long Branch, but Collision Is Avoided.

LONG BRANCH, N. J., July 25.—Pennsylvania passenger train 227, due here at 6:32 o'clock this evening, narrowly missed being wrecked. It ran into an open switch at the Morris avenue crossing while going at thirty miles an hour. Engineer John Todd applied the emergency brakes and stopped the train before it hit the freight cars on the siding.

The passengers were shaken up but didn't know until the train stopped how great the danger had been.

25 FIREMEN OVERCOME.

Chief Shannon and His Men Collapse in Gas Filled Cellar.

Twenty-five firemen, among them acting Deputy Chief John Shannon, were overcome by gas and smoke yesterday afternoon at a fire in the subcellar of the four story brick building at Broadway and Fourth street. The damage, principally to the stock of C. H. Tenney, a hatter, was estimated at \$10,000.

The building was locked when the fire started, and the first firemen there had to break in a door leading to an elevator shaft. As soon as Shannon, in command of the Sixth Battalion, arrived he sent in a second alarm, which brought Chief Croker. The smoke in the cellar had somewhat subsided when Shannon led some of his men into the darkness.

Those who went in last called back that they needed assistance and other men rushed to them at once. Capt. Edward O'Connor of Engine 25, who had fallen at the foot of the ladder by which the men had gone down the elevator shaft, was the first brought to the street. Then the men helped Shannon to the sidewalk, where he remained only long enough to get a breath of fresh air. He went to the cellar again and then for some time no one saw him.

Ambulances came from Bellevue, New York and St. Vincent's hospitals. Dr. Pooley of Bellevue went into the cellar and helped brace up some of the gasping firemen so that they were able to crawl back to the street. Others were carried out.

Shannon was found in the subcellar lying on his back unconscious in water that was rapidly rising.

Other men dropped, but the water revived them and they staggered to their feet. As fast as they were brought to the street they were laid on the sidewalk and attended by surgeons.

Chief Croker had a lift with two surgeons in charge of ambulances from St. Vincent's Hospital because they started to the hospital with men in their ambulances. The men were not allowed to go.

Most of the men of Engines 19, 20 and 23 were knocked out by the escaping gas and smoke, as were several men of Engine 55 and Truck 3 and Patrol 2. It was nearly two hours before the fire was out and the last of the men able to leave the scene.

The origin of the fire is not known. The first floor of the building is occupied by the Northern Bank of New York. Woolen stock is in the manufacture of hats was the principal material in the subcellar.

ATTACK FEDERAL 9 HOUR LAW.

Railroads Object to Being Compelled to Give Evidence Against Themselves.

PHILADELPHIA, July 25.—The Pennsylvania and Lehigh Valley Railroad companies today filed a bill in equity in the United States Circuit Court praying for an injunction to restrain the Interstate Commerce Commission from taking any further proceedings in pursuance of their order of March 3, 1908, to enforce the act of Congress of March 4, 1907, which went into effect March 4, 1908, entitled "An act to promote safety of employees and travelers on railroads by limiting the hours of service of employees."

The petition stands upon the Fourth and Fifth amendments to the Constitution of the United States, which prohibit unreasonable searches and seizures of persons, houses, papers and effects without warrant upon probable cause, supported by oath or affirmation, and also prohibit any process compelling any person in a criminal case to be a witness against himself.

The petition which the two railroad companies, through their attorney, John G. Johnson, presented to the Interstate Commerce Commission is that the two companies should within thirty days after the end of each month make a detailed report of all instances where trainmen, employees of the railroads, had been on duty for longer periods than the time prescribed by the act of Congress or had laid off for the number of hours prescribed by the act.

The bill denies the power of the Interstate Commerce Commission to make such an order and alleges that the purpose of it is to get evidence to lay before the United States District Attorney in criminal suits, thus to compel the railroads to furnish evidence against themselves for breaking the law.

MAYOR QUITS EGG HARBOR CITY.

William Nails' Other Job, as Postmaster, at Egg Harbor City Declared Vacant.

EGG HARBOR CITY, N. J., July 25.—The sudden disappearance of Mayor and Postmaster William Mall of this city has caused surprise among the citizens of this community, by whom Mr. Mall was esteemed. Post Office inspectors who investigated that office to-day declared the same vacant, and the City Clerk has called a special meeting of the City Council for Monday night, when the office of Mayor is to be declared vacant and another officer appointed.

Rumors started some time ago about Mall's alleged connection with the death of the wife of a hotel man in Camden. Detectives came here at that time, but nothing further was heard of the case then. The matter was brought up again, it is said, by the discovery by the widower of letters that had been left in a drawer at his home.

Mall drove with his son, Tuckerton, N. J., where he left on a train.

TAKE MORE BOSTON SUSPECTS.

Police Arrest 13 Men on Clue Given by Hand in Letter to Young Woman.

BOSTON, July 25.—When Edmundo Gutman was surrounded in Forest Hills Cemetery by a cordon of police he took shelter in a little clump of bushes and wrote to Miss L. Mauren, 3204 Washington street, a letter faring missive addressed to an attractive young woman, causing the rounding up early to-day of thirteen Lithuanians and Letts in Jamaica Plain, where the police surrounded a house and with drawn revolvers arrested the men they suspected were friends of Gutman.

After hours of third degree work by Chief Wattle and Capt. Dugan of Station 18, the police admitted that they wanted to question Miss L. Mauren, who is now believed to be in Lawrence.

The note that Gutman wrote when he knew that he faced death at every turn was brief and businesslike. It said: "I am in the bush, but entirely surrounded. I may have a shot off my cannon, but I am going to make a fight and will get out."

LIGHTNING KILLS TWO.

Severe Storm Visits Philadelphia and Vicinity and Wilmington.

PHILADELPHIA, July 25.—Lightning to-day killed two persons during one of the most severe electrical storms seen here in years.

James Conliffe, 55 years of age, was killed in a box car at the Christian street wharf. Conliffe, who is said to have had no home, went into the car to sleep and the lightning struck the car.

Katherine Wright, 11 years old, was struck while at a second story window of her home, 1218 Knight street, Camden.

WILMINGTON, Del., July 25.—During a terrific electrical storm which swept over the city to-day, a young woman, Mary E. Tucker, 18 years old, was killed by lightning striking the office of the Union League baseball grounds, injuring four men who sought refuge there. The victims are all in a serious condition.

The storm was severely shocking striking a wire which connected with the telephone in her home.

BETTOR FIGHTS POLICEMEN

GREAT EXCITEMENT AT TRACK—GRANDSTAND NEARLY FALLS.

It Takes Several Men to Subdue an Arrested Harlem Boxer—One Is Badly Hurt—"Memory Brokers" Censure the Belligerent and Praise the Police.

Prompt action on the part of the police and the Pinkertons prevented what might have been a riot at the Brighton Beach racetrack yesterday afternoon.

About 4 o'clock Deputy Sheriffs Charles D. Kendall and Thomas Biggart, so they said, saw Sig Rosenthal, better known in Harlem sporting circles as "Beansy," showing prices on a programme and accepting cash wagers near the rail in front of the grand stand. They said they promptly told Rosenthal that he must come with them to the Coney Island police station.

Rosenthal, who was a long prizefighter on his ability to fight and who is one of the promoters of a boxing club at Park avenue and 107th street, could not see it that way.

"You won't arrest me!" he exclaimed. "I've got a pull."

"Come along quietly and don't talk so much," said the Deputy Sheriffs as they took hold of Rosenthal's arms.

"I can lick a dozen like you!" shouted "Beansy," as he broke away. Then there was an old fashioned mixup. The Deputy Sheriffs tried to drag their prisoner under the grand stand, but the latter with much strength pulled the other way. In a moment the crowd saw the three men struggling toward the stewards' stand. Several policemen in uniform rushed up as the crowd poured down from the grand stand and surrounded the scorpers, while the Pinkertons and a number of Central Office detectives joined in.

When Rosenthal reached the stewards' stand he backed up against the iron fence and struck out right and left. Deputy Sergeant Langan, a six foot, now pushed his way through the crowd and grabbed Rosenthal by the collar, while a dozen policemen with drawn clubs tried to clear the way to the passage between the club house and the grandstand.

Still Rosenthal was full of fight and bystanders declared afterward that he tried to bite Deputy Sheriff Kendall's hands. Rosenthal, who carried a cane, showed his hands covered with blood after Rosenthal had been dragged out of the track, hung on to his prisoner until he got him out to the gate. Then he let go his hold, whereupon the prisoner struck Kendall on the mouth, drawing the blood and knocking him to his knees. That was the signal for an onslaught by half a dozen deputies, who treated Rosenthal to some of his own tactics.

While all this was going on the patrons of the clubhouse who crowded to the edge of the balcony to see the fun came under the effect of causing an alarm. Under the weight of the crowd one of the wooden pillars snapped close to its foundation and the balcony swung. A cry of warning from the people below caused the spectators on the balcony to retreat.

There was nothing but censure for Rosenthal by all of the "memory brokers" who began the beginning of the trouble. They said that he should not have resisted arrest and that he caused the whole disturbance. The police and the Pinkertons, also the Sheriffs, were very patient in their handling of the crowd. Several hysterical persons said they saw a policeman pull a revolver, but nobody else could back them up in this assertion.

The racetrack police declared that Beansy had been treated too leniently. They said that he had been threatening to lick the police and that he had threatened to kill them. They said that he had been threatening to kill the police and that he had threatened to kill them.

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"MISARRANGE OF JUSTICE."

President Rebukes Court-Martial Which Acquitted Lieut. Moller and Bennett.

WASHINGTON, July 25.—President Roosevelt has severely rebuked the members of the court-martial which tried Second Lieut. John J. Moller and Claire B. Bennett of the Eighth Infantry at Camp Bumpus, Leyte, Philippine Islands, in August, 1907, on charges of permitting Filipino prisoners in their custody to be tortured by the President of Tolosa with a view of extorting information from them regarding the operations of outlaws with whom the prisoners had been associated.

Both officers were acquitted by the court, and President Roosevelt, who was angered at what he regarded as a miscarriage of justice, instructed the Judge Advocate General of the Army to make a thorough review of the record of the court. As a result of this investigation the Judge Advocate General concurred in the comments of the commanding General of the Department of the Philippines, who was in command of the court and who said in passing on the case that the members of the court-martial had failed in duty and that repetitions of justice would be a disgrace to the military public confidence in courts-martial.

In passing upon the record President Roosevelt made the following comment: "It appears that there has been an outrageous miscarriage of justice in the cases of the two lieutenants in question and I greatly regret that I have not the legal power to reverse the action of the court-martial. I feel that these two lieutenants have been treated themselves and the service and that the responsibility for this miscarriage of justice should be placed on the court-martial which voted for their acquittal. If these two officers were enlisted men I would have them discharged out of hand for the good of the service and I regret that because of the law I am unable to take action in this case."

The court-martial grew out of the arrest of ten Filipino prisoners who were taken into custody at Tunanun, Leyte, on October 12, 1906, and were turned over by the civil authorities of the town to Lieut. Bennett, who took them to the town of Tolosa under a guard of troops. The prisoners were conducted into the barracks there, located by a detachment of soldiers commanded by Lieut. Moller, and the escort of soldiers was dismissed. Two native policemen took charge of the prisoners and at that time they were conducted into Lieut. Moller's quarters, where they were questioned by the President of Tolosa. Because they would not acknowledge that they were outlaws, they were sent to have been maltreated by the native servant of the President of Tolosa and by his order. The army officers were held responsible for the alleged maltreatment, which occurred in Lieut. Moller's quarters and while the prisoners were in the custody of Lieut. Bennett. Neither of these officers, it is charged, attempted to prevent the abuse of the prisoners.

PREDICTS SUCCESSFUL AIRSHIP.

Capt. Baldwin Believes That Both the Dirigible and Aeroplane Will Be Perfected.

WASHINGTON, July 25.—Capt. Thomas S. Baldwin, of the United States Army, in preparing his dirigible balloon for the official acceptance trial before a board of army officers, believes that both the dirigible and the heavier than air aeroplane will be ultimately used in aerial navigation. Unlike most inventors, Capt. Baldwin has kept apart from those he has himself applied.

"As in everything else," said Capt. Baldwin, "so in aeronautics, a man follows a system. I believe that the dirigible and the heavier than air aeroplane will be ultimately used in aerial navigation. Unlike most inventors, Capt. Baldwin has kept apart from those he has himself applied."

The French Government Makes Him a Commander of the Legion of Honor.

WASHINGTON, July 25.—W. W. Russell, former American Minister to Venezuela, has been decorated by the French Government with the rank of Commander of the Legion of Honor in return for his services in looking after French interests in Venezuela after the expulsion of M. Taigny, French Minister to that country. General Taigny, the rank of Commander is the second grade of the Legion of Honor, that of Chevalier being first rank. Mr. Russell was notified of his decoration by the French Government in a letter from Paris. Mr. Russell would only be allowed to accept the decoration by a special act of Congress.

MOVEMENTS OF NAVAL VESSELS.

WASHINGTON, July 25.—The monitors Arkansas and Nevada, the cruisers Olympia and Chicago and the training ship Hartford have arrived at New London the cruiser Wolverine at Chicago, the collier Abanaka at Newport News, the cruiser Milwaukee at Philadelphia and the yacht Mayflower at Oyster Bay.

The battleship Mississippi has sailed from Bradford for Philadelphia, the battleship Minnesota from Honolulu for New London, the cruiser Des Moines from Guantanamo for Philadelphia, the gunboat Helena from Shanghai up the Yangtze river and were found in Korea and New London and the submarine Tarantula from New York for Gardiner's Bay.

ARMY AND NAVY ORDERS.

WASHINGTON, July 25.—These army orders were issued to-day: Major Herbert Deakney, Engineer Corps, detailed as engineer Fourth Lighthouse district, relieving Lieut. Clement A. Plummer, Engineer Corps.

Colonel William G. Gambrell, Paymaster, from Boston to New York, thence to St. Paul, Minn., relieving Major Pierre C. Stevens, who will proceed to Washington.

Major Timothy D. Keicher, Paymaster, from New York to Cairo.

Capt. Samuel B. Boates, commissary, from St. Louis to San Francisco and thence to Manila.

First Lieut. J. Henry, commissary, from Philippines division to San Francisco.

First Lieut. John S. Williams, to Sixty-fifth Company.

These navy orders were issued: Commander A. L. Key, from Quincy, Mass., to command of the Salem when commissioned.

Lieut. W. M. Palmer, from Washington, D. C., to home and one month leave.

Lieut. C. J. O'Brien, from the Washburn to the Salem when commissioned.

Lieut. Surgeon J. H. Payne, from Boston yard to the Salem when commissioned.

Passed Assistant Paymaster R. Spear, from League Island yard to the Salem when commissioned.

Assistant Paymaster J. L. Luchinger, orders to the Maine revoked; continue at naval station.

OBITUARY.

William Baird Wyckoff, son of Dr. and Mrs. Martin N. Wyckoff, who are missionaries in Japan, died of typhoid fever in the German Hospital, New York, yesterday morning. His parents and sisters, Mrs. John P. Hays and Miss Helen Wyckoff, also missionaries, were at the bedside when death came. Mr. Wyckoff was 28 years old and was a graduate of Rutgers College. He was captain of the football team in his senior year. Mr. Wyckoff is survived by a widow and one child. The funeral will be held from the Fourth Methodist Church, New Brunswick, N. J., Tuesday.

Catherine Wilkin, whose funeral was held at her late residence, the Monticello, Orange county, yesterday afternoon, was a daughter of the late Dr. Beecher Stowe and was graduated after a three years' course at the New Haven College for Women. Mrs. Wilkin was 71 years old and had been in poor health for some time.

DOWNTOWN SAFES CRACKED

BURGLARS GET \$9,000 WORTH OF MEDALS.

Thieves Came in the Night to Thomas J. Dunn Company in Chambers Street, Smoked Cigarettes and Got 100 Pounds of Loot—Left Rope Ladder.

By blowing open two safes belonging to the Thomas J. Dunn Company, ornament and medal makers at 101 Chambers street, yesterday morning burglars got booty worth \$9,000. They escaped without alarming anybody or leaving a clue. A porter found the wrecked safes when he opened the building at 5 o'clock.

The medal firm occupies the upper three floors in the five story building at the north-west corner of Church and Chambers streets. The safes were at the rear of the building. The burglars got in by way of the roof, forcing open the scuttle door, which was fastened only by a slender wire. Once inside they had only to walk down the stairs to reach the safes.

A hole about five-eighths of an inch in diameter had been bored in each safe midway between the combination dial and handle and a little above them. Some explosive, the police say dynamite, was inserted in these holes and each safe was padded with coats, rugs and bags of sawdust.

The explosion probably took place while an elevated railway train was passing; the Sixth avenue line runs through West Broadway one block to the west and through Murray street one block to the south. The outer doors of both safes were torn in two, the locks smashed and the inner linings of the doors rent in pieces. But the doors of the inner compartments were not touched. On the floor beside the battered safes were many cigarette butts.

The men got \$2,200 worth of gold and silver emblems of secret societies, twenty Catholic centenary gold medals worth \$10 each, ten Knights of Columbus badges worth \$25, pure gold worth \$225, ten carat gold worth \$300, unfinished jewelry worth \$1,250, \$175 cash and also a woman's bag and got other articles. Two thousands dollars worth of badges in show-cases they did not touch.

One of the men took a new one of William H. Taft worth \$550 and prized because of the unusually faithful likeness. The weight of the booty was close to 100 pounds.

The thieves left a jimmy and a thirty foot rope ladder.

Access to the roof was possible through any one of several buildings that were open on Friday night or by the skylight of the Metropolitan Hotel, at Chambers' street and West Broadway. The police found no sign that any scuffle except that of the Dunn building had been tampered with by way of the hotel, whose skylight is much used on summer nights.

The robbery is supposed to have taken place about 2 o'clock. In the Irving Savings Bank, at 115 Chambers street, the dog of the night watchman barked loudly at that hour. The watchman could find nothing wrong in the bank, and thought no more about the matter until he heard the robbery at Dunn's. When an investigating party went up on Dunn's roof yesterday afternoon the dog barked at the sound of the footsteps.

The Thomas J. Dunn Company have a suspicion that the robbers may be former employees or friends of former employees. Apparently they knew all about the building at the time of the Catholic centenary the Dunn firm made 175,000 medals, hiring nearly 150 extra men. When these extra men were several valuable articles also disappeared.